

OGC 78-8295

15 December 1978

Inv.
Angleton

MEMORANDUM FOR THE RECORD

OLC #13-3153/2

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FROM :
Assistant General Counsel

SUBJECT : Request by James Angleton for Access to
Agency Documents

1. On 8 December, Mr. Wallace Duncan, an attorney representing James Angleton, called to request that Mr. Angleton be given access to certain Agency materials in order to prepare himself for the remainder of his appearance before the House Select Committee on Assassinations. Mr. Duncan alluded to an earlier understanding on the subject.

2. I informed Mr. Duncan that the Agency would not grant Mr. Angleton access to Agency materials on such a basis. I informed him that Mr. Angleton was no longer authorized access to classified information. And, while he would be authorized access to any materials he was seeking which were unclassified, the Agency was not in a position to sort out the unclassified information on this basis and make it available. I suggested to Mr. Duncan that Mr. Angleton initiate a request pursuant to the Freedom of Information Act, and I cited the relevant provisions of 32 CFR to him.

3. The firm, on behalf of Mr. Angleton, has initiated such a request. It was hand-delivered to the Agency on 11 December 1978.

4. At the close of the request mention is made of the fact that "the legal counsel's office" had granted Mr. Angleton access on or about 5 October 1978. While Mr. Duncan has spoken with other members of this Office and Mr. Angleton has spoken with Scott Breckinridge of OLC, I assume this reference is to an earlier conversation which Mr. Duncan had with me. I did speak with him on the subject during that general time frame. I did not grant access to classified information nor, to the best of my recollection, did I make any statement which could be construed as such.

6. My recollection is that Mr. Duncan called on the day before Mr. Angleton's scheduled appearance, requesting such access. I do not now recall the exact date. I indicated to him that I would endeavor to find out the Agency's position on the matter and call him back. Mr. Breckinridge of OLC and I spoke with several Agency officials, including the ADDO and the DDCI. The conclusion was that I should recontact Mr. Duncan and ask that Mr. Angleton specify the materials to which access was desired. I relayed this to Duncan, who said he would talk it over with Angleton and get back to us that afternoon. I had the impression that Angleton was with him at the time.

7. That was the last I heard from Duncan until 8 December. He did not call back that afternoon. I stayed in the office well into the evening awaiting his call. I did not attempt to recontact him.

8. Insofar as I am aware the request letter of 8 December is the first indication the Agency has received of the specific Agency records which are of interest to Mr. Angleton.

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cc: OLC/Breckinridge
DC/IPS

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